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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10 May 2008*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-3,5-19 and 21-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-3,5-19 and 21-36* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-3, 5-19, 21-32, and 34-36 are presented for examination. Applicant filed an amendment on May 10, 2008. Claim 36 has been added. Claims 4 and 20 have been canceled. Claims 1-3, 5-19, 21-32, and 34-35 have been amended. Since the new grounds of rejection were necessitated by applicant's amendment of the claim(s), the rejection of claims 1-3, 5-19, 21-32, and 34-36 is a final rejection of the claim(s).

Response to Arguments

2.   Applicant's arguments filed May 10, 2008 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 and 2 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1 and 2 recite a process comprising the steps of obtaining, comparing, determining, and associating. Based on Supreme Court precedent, a proper process must be tied to another statutory class or transform underlying subject matter to a different state or thing (*Diamond v. Diehr,* 450 U.S. 175, 184 (1981); *Parker* v. *Flook,* 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson,* 409 U.S. *63,* 70 (1972); *Cochrane* v. *Deener,* 94 U.S. 780,787-88 (1876)). Since neither of these requirements is met by the claim, the method is not considered a patent eligible process under 35 U.S.C. 101. To qualify as a statutory process, the claim should positively recite the other statutory class to which it is tied, for example by identifying the apparatus that accomplished the method

steps or positively reciting the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.

2.   Ascertaining the differences between the prior art and the claims at issue.

3.   Resolving the level of ordinary skill in the pertinent art.

4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

5.   Claims 1, 2, 5, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk (6,059,185), and in view of DiNapoli (US 6,826,445 B2), and further in view of Behera (5,287,497).

Claim 1:   Funk discloses the following limitation(s):

- *obtaining account number information from a check document;*

    (See at least Funk, col 2, lines 37-43)

Funk does not disclose the remaining limitation(s). However, DiNapoli discloses the following:

- *obtaining account number information from a bank statement document;* (See at least DiNapoli, col 2, lines 45-65)

- *associating the check document with the bank statement document upon verifying correspondence between the check document and the bank statement document.* (See at least DiNapoli: col 2, lines 45-65)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk with the technique of DiNapoli because the modification would provide the benefit of an improved system of processing checks that avoids the need to have an operator manually reconcile more than one collation when an error occurs (See at least DiNapoli: col 3, lines 15-25). DiNapoli does not disclose the remaining limitation(s). However, Behera discloses the following:

- *comparing the account number information from the check document to the account number information from the bank statement document to verify correspondence between the check document and the bank statement document; and* (See at least Behera: col 18, lines 15-30)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/DiNapoli with the technique of Behera because the modification would provide the benefit of improved accuracy in check processing.

Claim 2:   Funk discloses the following limitation(s):

- *comparing the account number information of at least one of the plurality of check documents to the account number information of at least one other check document in the set of check documents to determine a match between the compared account number information.* (Funk: col 2, line 55 – col 3, line 5)

Funk does not disclose the remaining limitation(s). However, Behera discloses the following:

- *capturing an image of at least a portion of each of a plurality of check documents in a set of check documents;* (See at least Behera: col 4, lines 1-10)

- *determining account number information from the image for each of the plurality of check documents;* (See at least Behera: col 3, lines 35-45)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk with the technique of Behera because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

Claim 5:   Funk/DiNapoli/Behera discloses the limitation(s) as shown in the rejection of claim 1. DiNapoli further discloses the following:

- *the method is employed during a mail insertion operation.* (DiNapoli: col 1, lines 1-20)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/Behera with the technique of DiNapoli because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

Claim 15:   Funk/DiNapoli/Behera discloses the limitation(s) as shown in the rejection of claim 2. Funk further discloses the following:

- *comparing account number information from at least one of the check documents in the set of check documents with account number information from at least one check document in at least one other set of check documents to determine a match between compared account number information, wherein each set contains account number information for related accounts.* (See at least Funk: col 2, line 55 – col 3, line 5)

Claim 18:   Funk discloses the following limitation(s):

- *a computer system, the computer in communication with the imaging device, wherein the computer system reads at least a portion of the image of each check document for account number information and compares the account number information of each check document in the set to account number information from every other check document in the set to verify correspondence between each check document in the set.* (See at least Funk: col 2, lines 36-55).

Funk does not disclose the remaining limitation(s). However, Behera discloses the following:

- *an imaging device, wherein the imaging device images at least a portion of each check document in a set of check documents; and* (See at least Behera: col 4, lines 40-50)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk with the technique of Behera because the modification would provide the benefit of a quicker and less

error-prone method of processing checks (See at least Funk: col 2, lines

1-10).

6.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Funk/DiNapoli/Behera and in view of Cahill (5,678,046).

Claim 3:   Funk/DiNapoli/Behera discloses the limitation(s) as shown in the

rejection of claim 1. However, Funk/DiNapoli/Behera does not disclose

the remaining limitations. Cahill further discloses the following:

- *capturing an image of at least a portion of the check document;*

  and (See at least Cahill: col 8, lines 25-50. Cahill discloses a

  document imaging machine that captures an image of both sides

  of a check)

- *wherein the step of obtaining account number information from a*

  bank statement document comprises the step of capturing an

  image of at least a portion of the bank statement document. (See

  at least Cahill: col 1, lines 10-20)

It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify the method of Funk/DiNapoli/Behera with the

technique of Cahill because the modification would provide the benefit of

a quicker and less error-prone method of processing checks (See at

least Funk: col 2, lines 1-10).

7.   Claims 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Funk/DiNapoli/Behera and in view of Guiles (US 6,607,190 B1).

Claim 6:   Funk/DiNapoli/Behera discloses the limitation(s) as shown in the

rejection of claim 1. However, Funk/DiNapoli/Behera does not disclose

the remaining limitations. Guiles further discloses the following:

- *monitoring the position of the bank statement document; and*

  regulating merger of the one or more check documents with the

  bank statement document. (See at least Guiles: col 1, lines 5-

  15. Guiles discloses a system for controlling the spacing

  between documents as they are merged together for mail

  insertion.)

It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify the method of Funk/DiNapoli/Behera with the

technique of Guiles because the modification would provide the benefit

of a quicker and less error-prone method of processing checks (See at

least Funk: col 2, lines 1-10).

Claim 7:   Funk/DiNapoli/Behera/Guiles discloses the limitation(s) as shown in the

rejection of claim 6. Behera further discloses the following:

- *identifying account number information mismatches between the*

  one or more check documents and the bank statement

  document. (See at least Behera: col 18, lines 15-30)

It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify the method of Funk/DiNapoli/Guiles with the

technique of Behera because the modification would provide the benefit

of a quicker and less error-prone method of processing checks (See at

least Funk: col 2, lines 1-10).

Claim 8:   Funk/DiNapoli/Behera/Guiles discloses the limitation(s) as shown in the

rejection of claim 7. DiNapoli further discloses the following:

- *halting merger of the one or more check documents containing*

  an identified mismatched check document. (See at least

  DiNapoli: col 2, lines 45-65)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/DiNapoli/Behera with the technique of Guiles because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

Claim 9:   Funk/DiNapoli/Behera/Guiles discloses the limitation(s) as shown in the rejection of claim 7. DiNapoli further discloses the following:

- *signaling an operator when a mismatched check document is identified.* (See at least DiNapoli: col 10, lines 10-25)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/Behera/Guiles with the technique of DiNapoli because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

Claim 10:   Funk/DiNapoli/Behera/Guiles discloses the limitation(s) as shown in the rejection of claim 7. DiNapoli further discloses the following:

- *diverting the one or more check documents containing an identified mismatched check document.* (See at least DiNapoli: col 10, lines 10-27)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/Behera/Guiles with the technique of DiNapoli because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

Claim 11:   Funk/DiNapoli/Behera/Guiles discloses the limitation(s) as shown in the rejection of claim 7. DiNapoli further discloses the following:

- *diverting said bank statement document when a mismatched check document is identified.* (See at least DiNapoli: col 10, lines 10-25)

  It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/Behera/Guiles with the technique of DiNapoli because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

8.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funk/DiNapoli/Behera/Guiles and in view of Haas (4,088,982).

Claim 12:   Funk/DiNapoli/Behera/Guiles discloses the limitation(s) as shown in the rejection of claim 7. However, Funk/DiNapoli/Behera/Guiles does not disclose the remaining limitations. Haas further discloses the following:

- *a mismatched check document is marked as a mismatched error document.* (See at least Haas: col 2, lines 15-25. Haas discloses a method wherein a document is marked whenever an error is identified on said document)

  It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/DiNapoli/Behera/Guiles with the technique of Haas because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

9.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funk/DiNapoli/Behera and in view of Barasch (4,124,286).

Claim 13:   Funk/DiNapoli/Behera discloses the limitation(s) as shown in the

rejection of claim 1. In regard to the limitation:

- *the account number information on both the check document*
  and the bank statement document is a character string
  comprising a plurality of characters.

Funk further discloses a system where account number information in

the form of a character string is read from a check (See at least Funk:

col 1, lines 39-45). However, Funk/DiNapoli/Behera does not disclose

the remaining limitations. Barasch further discloses a bank statement

containing account number information in the form of a character string

(See at least Barasch: Figs. 4A-4C). It would have been obvious to one

of ordinary skill in the art at the time of the invention to modify the

method of Funk/DiNapoli/Behera with the technique of Barasch because

the modification would provide the benefit of a quicker and less error-

prone method of processing checks (See at least Funk: col 2, lines 1-

10).

10.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Funk/DiNapoli/Behera and in view of Jones (US 6,526,574 B1).

Claim 14:   Funk/DiNapoli/Behera discloses the limitation(s) as shown in the

rejection of claim 1. In regard to the limitation:

- *the account number information on the check document and the*
  bank statement document is matched using mismatch tolerance
  levels.

Behera further discloses a system wherein checks are matched with

corresponding bank statements based on account number information

(See at least Behera: col 18, lines 15-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/DiNapoli with the technique of Behera because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10). However, Funk/DiNapoli/Behera does not disclose the remaining limitations. Jones further discloses a method of matching two character strings with a predetermined tolerance level (See at least Jones: col 7, line 60-col 8, line 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Funk/DiNapoli/Behera with the technique of Jones because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

11.   Claims 16, 17, 19, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill and in view of Behera.

Claim 16:   Cahill discloses the following limitation(s):

- *passing a check document set through a check feeder device, wherein the set comprises at least one check document;* (See at least Cahill: col 14, lines 20-25)

- *imaging each check document in the set via an imaging device to create an image of each check document in the set;* (See at least Cahill: col 8, lines 25-35)

- *determining account number information for each check document from each image;* (See at least Cahill: col 5, line 65 – col 6, line 5)

Cahill does not disclose the remaining limitation(s). However, Behera discloses the following:

- *determining account number information for a bank statement document;* (See at least Behera: col 18, lines 15-30. Behera teaches a system wherein bank statement documents are sorted based on account number information. It is implied that the account number for a bank statement must be determined before said bank statement is sorted)

- *comparing the account number information from each check document in the set to account number information on the bank statement document to verify correspondence between each check document in the set and the bank statement document.* (See at least Behera: col 18, lines 15-30. Behera teaches a system wherein check images are printed on the bank statement where a matching account number is identified. It is implied that a comparison of the account number information from each check and the account number information on the bank statement took place.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Cahill with the technique of Behera because the modification would provide the benefit of a more efficient method of processing data derived from checks (See at least Behera: col 2, lines 25-50).

Claim 17:   Cahill/Behera discloses the limitation(s) as shown in the rejection of claim 16. Cahill further discloses the following:

- *loading a bank statement document onto an automatic inserter machine; and imaging the bank document via a second imaging*

device (See at least Cahill: Abstract; col 1, lines 10-20; col 14, lines 20-30. Cahill discloses a method wherein financial instruments, i.e. checks and bank statements, are loaded into an automatic inserter machine and images of said financial instruments are electronically stored.)

Claim 19: Cahill discloses the following limitation(s):

- *a first imaging device, wherein the first imaging device images at least a portion of a bank statement document to determine account number information on the bank statement document; a second imaging device, wherein the second imaging device images at least a portion of each check document in a set of check documents to determine account number information on each check document;* (See at least Cahill: col 8, lines 18-48)

Cahill does not disclose the remaining limitation(s). However, Behera discloses the following:

- *a computer, the computer system in communication with the first imaging device and the second imaging device, wherein the computer system compares the account number information of each check document to the account number information from the bank statement document to determine a match between the compared account number information.* (See at least Behera: col 3, lines 35-45 and col 4, lines 1-15. Behera teaches a method that generates electronic images of checks and bank statements and determines account number information from the generated images. Behera also teaches a system that compares account number information to match checks with corresponding bank statements)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Cahill with the technique of Behera because the modification would provide the benefit of a more efficient method of processing data derived from checks (See at least Behera: col 2, lines 25-50).

Claim 35:   Cahill discloses the following limitation(s):

- *at least one imaging device for determining account number information from each check in a set of check documents; at least one imaging device for determining account number information from a bank statement; and* (See at least Cahill: col 1, lines 1-20; col 8, lines 25-45)

Cahill does not disclose the remaining limitation(s). However, Behera discloses the following:

- *a processor for determining whether the check document account number information matches the bank statement account number information.* (See at least Behera: col 18, lines 15-30. Behera discloses a system wherein checks are matched with corresponding bank statements based on account number information.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Cahill with the technique of Behera because the modification would provide the benefit of a more efficient method of processing data derived from checks (See at least Behera: col 2, lines 25-50).

12.   Claims 21-23, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill/Behera and in view of Smith.

Claim 21:   Cahill/Behera discloses the limitation(s) as shown in the rejection of

claim 19. Cahill further discloses the following:

- *a camera, the camera positioned to obtain an image of at least a portion of each check document; a trigger device, the trigger device sensing each check document and activating the camera to obtain an image of each check document as each check document is sensed by the trigger device.* (See at least Cahill: col 16, lines 18-44. Cahill discloses an automated method and apparatus for imaging check documents. It is implied that a means for sensing each check document and activating the camera to obtain an image of each check is incorporated in the apparatus.)

However, Cahill/Behera does not disclose the remaining limitations.

Smith further discloses the following:

- *a light source, the light source illuminating each check document;* (See at least Smith: pg 2, lines 9-11)

It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify the method of Cahill/Behera with the technique of

Smith because the modification would provide the benefit of a more

efficient method of processing data derived from checks (See at least

Behera: col 2, lines 25-50).

Claim 22:   Cahill/Behera/Smith discloses the limitation(s) as shown in the rejection

of claim 21. Cahill further discloses the following:

- *the trigger device comprises: a trigger sensor, positioned to sense the presence of each check document; a trigger mechanism operatively connected to the second imaging device for activating the second imaging device; and a trigger amplifier,*

operatively connecting the trigger sensor and the trigger mechanism. (See at least Cahill: col 16, lines 18-24)

Claim 23:   Cahill/Behera/Smith discloses the limitation(s) as shown in the rejection of claim 21. Cahill further discloses the following:

- *the second imaging device is a digital, region of interest camera.* (See at least Cahill: col 14, lines 20-25)

Claim 33:   Cahill/Behera/Smith discloses the limitation(s) as shown in the rejection of claim 21. Behera further discloses the following:

- *the computer system matches check document sets which contain related bank account numbers to the bank statement document.* (See at least Behera: col 18, lines 15-30. Behera discloses a system wherein checks are matched with corresponding bank statements based on account number information.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Cahill/Smith with the technique of Behera because the modification would provide the benefit of a more efficient method of processing data derived from checks (See at least Behera: col 2, lines 25-50).

13.   Claims 24-28, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiNapoli and in view of Cahill (5,678,046).

Claim 24:   DiNapoli discloses the following limitation(s):

- *an automated in-line mailing device (AIM),* (DiNapoli: col 1, lines 5-50)

DiNapoli does not disclose the remaining limitation(s). However, Cahill discloses the following:

- *having a bank statement document imaging device positioned to image bank statement documents traveling along an AIM conveyor;* (Cahill: col 14, lines 55-67)

- *a check feeder, having a check document imaging device positioned to image check documents merging with said AIM conveyor;* (Cahill: col 14, lines 15-30)

- *a computer system for processing images obtained from the bank statement document imaging device and the check document imaging device for comparison of account number information to verify correspondence between bank statement documents and check documents.* (See at least Cahill: col 10, lines 45-55)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of DiNapoli with the technique of Cahill because the modification would provide the benefit of an improved system of processing checks that avoids the need to have an operator manually reconcile more than one collation when an error occurs (See at least DiNapoli: col 3, lines 15-25).

Claim 25:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of claim 24. DiNapoli further discloses the following:

- *a document control system, the document control system in communication with the computer system, wherein the document control system operates with the computer system to regulate the check documents and the bank statement documents during a mail insertion operation.* (See at least DiNapoli: col 8, lines 25-55)

Claim 26:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of
                claim 24. DiNapoli further discloses the following:

- *a control panel, the control panel in communication with the computer system.* (See at least DiNapoli: col 8, lines 30-55)

Claim 27:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of
                claim 25. DiNapoli further discloses the following:

- *a drive assembly for controlling the rate of check documents passing through the check feeder.* (See at least DiNapoli: col 5, lines 50-67)

Claim 28:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of
                claim 24. DiNapoli further discloses the following:

- *the check feeder is halted when a mismatch between account number information on a bank statement document and a check document is detected by the computer system.* (See at least DiNapoli: col 10, lines 10-25)

Claim 30:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of
                claim 24. DiNapoli further discloses the following:

- *the check feeder diverts mismatched check documents.* (See at least DiNapoli: col 10, lines 10-27)

Claim 31:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of
                claim 24. DiNapoli further discloses the following:

- *the AIM diverts mismatched check documents and bank statement documents.* (See at least DiNapoli: col 10, lines 10-27)

14.   Claims 29 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over

DiNapoli/Cahill and in view of Haas.

Claim 29:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of

claim 24. However, DiNapoli/Cahill does not disclose the remaining

limitations. Haas further discloses the following:

- *the check feeder marks mismatched check documents for*
diverting. (See at least Haas: col 2, lines 15-25. Haas discloses
a method wherein a document is marked whenever an error is
identified on said document)

It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify the method of DiNapoli/Cahill with the technique

of Haas because the modification would provide the benefit of an

improved system of processing checks that avoids the need to have an

operator manually reconcile more than one collation when an error

occurs (See at least DiNapoli: col 3, lines 15-25).

Claim 36:   DiNapoli/Cahill discloses the limitation(s) as shown in the rejection of

claim 31. However, DiNapoli/Cahill does not disclose the remaining

limitations. Haas further discloses the following:

- *the AIM marks envelopes having mismatched check documents*
and bank statement documents. (See at least Haas: col 2, lines
15-25. Haas discloses a method wherein a document is marked
whenever an error is identified on said document)

It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify the method of DiNapoli/Cahill with the technique

of Haas because the modification would provide the benefit of an

improved system of processing checks that avoids the need to have an

operator manually reconcile more than one collation when an error occurs (See at least DiNapoli: col 3, lines 15-25).

15.   Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill/Behera/Funk and in view of Barasch.

Claim 32:   Cahill/Behera/Funk discloses the limitation(s) as shown in the rejection of claim 19. In regard to the following limitation:

- *the account number information on the check documents and on the bank statement documents comprise a character string of numbers.*

Funk further discloses a system where account number information in the form of a character string is read from a check (See at least Funk: col 1, lines 39-45). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Cahill/Behera with the technique of Funk because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10). However, Cahill/Behera/Funk does not disclose the remaining limitations. Barasch further discloses a bank statement containing account number information in the form of a character string (See at least Barasch: Figs. 4A-4C). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Cahill/Behera/Funk with the technique of Barasch because the modification would provide the benefit of a quicker and less error-prone method of processing checks (See at least Funk: col 2, lines 1-10).

16.   Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill/Behera/Smith and in view of Jones.

Claim 34:   Cahill/Behera/Smith discloses the limitation(s) as shown in the rejection of claim 21. However, Cahill/Behera/Smith does not disclose the remaining limitations. Jones further discloses the following:

- *the computer system matches the check documents to the bank statement document using selectable mismatch tolerance levels.* (See at least Jones: col 7, line 60-col 8, line 13. Jones discloses a method of matching two character strings with a predetermined tolerance level.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Cahill/Behera/Smith with the technique of Jones because the modification would provide the benefit of a more efficient method of processing data derived from checks (See at least Behera: col 2, lines 25-50).

Conclusion

17.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event of a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Preston, whose telephone number is (571) 270-3918. The examiner can normally be reached on Monday to Friday from 9:00 AM to 5:00 PM.

/John O Preston/

Examiner, Art Unit 3691

June 25, 2008

/Alexander Kalinowski/

Supervisory Patent Examiner, Art Unit 3691